



IPW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

**Allowed: November 20, 2006**

JENKINSON et al.

Atty. Ref.: 4398-239

Serial No. 10/602,532

TC/A.U.: 2839

Filed: June 24, 2003

Examiner: Javaid Nasri

For: METHOD AND APPARATUS FOR CONTROL OF APPLIANCE  
COUPLER RETENTION AND WITHDRAWAL FORCES

\* \* \* \* \*

December 12, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Office of Initial Patent Examinations  
Filing Receipt Corrections**

Sir:


**STATUS REQUEST  
RE: CORRECTED FILING RECEIPT**

A Petition to Correct Inventorship Under Rule 48(a) was filed on November 12, 2004 (copy enclosed) together with the \$130 petition fee. Public PAIR shows receipt of the Petition on November 12, 2004. To date, a corrected Filing Receipt has not been received to add the fourth inventor, Dan Kao. Please forward a corrected Filing Receipt adding the fourth inventor to undersigned counsel.

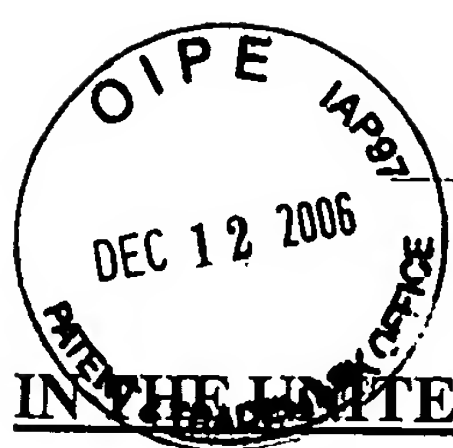
Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:

  
\_\_\_\_\_  
Paul T. Bowen  
Reg. No. 38,009

PTB:IGS/lmr  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

JENKINSON et al.

Atty. Ref.: 4398-239

Serial No. 10/602,532

Filed: June 24, 2003

For: METHOD AND APPARATUS FOR CONTROL OF  
APPLIANCE COUPLER RETENTION AND  
WITHDRAWAL FORCES

\* \* \* \* \*

November 12, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION TO CORRECT INVENTORSHIP UNDER RULE 48(a)**

Petition is hereby made to correct the inventors named in the above-identified application since the all of the actual inventors were not named through error without deceptive intent. The subject application inadvertently omitted inventor Dan Kao upon filing the above-identified application. Residence and citizenship information is as follows:

Dan Kao  
Chatswood, Australia – Citizenship: Australia

Following entry of this inventor, the full inventorship in the above-identified application will be as follows:

Philip James Jenkinson  
Nicholas Jerome Reed  
Philip Andrew Jones  
Dan Kao

In support of this Petition, the fee of \$130 required by Rule 17(i) is attached.

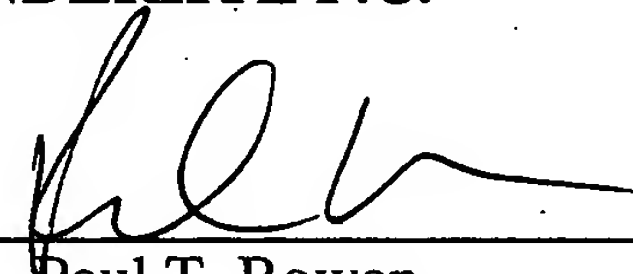
**CONCLUSION**

In sum, the omitted inventor was not named through error without any deceptive intention on the part of the omitted inventor. Therefore, the granting of this Petition and the amendment of the above-identified application to reflect Messrs. Jenkinson, Reed, Jones and Kao as joint inventors is respectfully solicited.

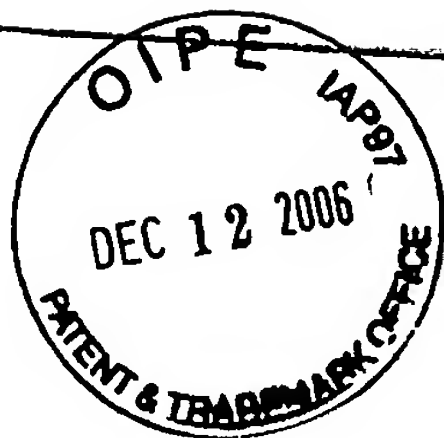
Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Paul T. Bowen  
Reg. No. 38,009

PTB:jck  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100



A128001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: METHOD AND APPARATUS FOR CONTROL OF  
APPLIANCE COUPLER RETENTION AND WITHDRAWAL  
FORCES

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

DECLARATION OF DAN KAO

1. I, Dan Kao, am co-inventor of the above-identified application.
2. I was erroneously omitted from being listed as a co-inventor of the above-identified application.
3. The inventorship error occurred without deceptive intent on my part.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1 - September - 2004  
Date

  
Dan Kao



P128051

4398-239

Nixon & Vanderhye P.C. (10/99)  
(Domestic Non-Assigned/Foreign) Page 1RULE 63 (37 C.F.R. 1.63)  
INVENTORS DECLARATION FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES

the specification of which (check applicable box(es)):

☐ is attached hereto  
☒ was filed on June 24, 2003 as U.S. Application Serial No. 10/602,532 (Atty. Dkt. No. 4398-239)  
☐ was filed as PCT International application No. on  
and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

| Application Number | Country   | Day/Month/Year Filed |
|--------------------|-----------|----------------------|
| PS 3150            | Australia | 25 June 2002         |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

| Application Number | Date/Month/Year Filed |
|--------------------|-----------------------|
|--------------------|-----------------------|

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below:

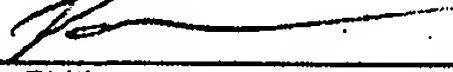
Prior U.S./PCT Application(s):  
Application Serial No.

Day/Month/Year Filed

Status: patented  
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon & Vanderhye P.C., telephone number 703-816-

4000 (to whom all communications are to be directed) and the attorneys of: **Customer Number 23117**, individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1. Inventor's Signature:  Date: 23/9/04  
Inventor: Philip James Jenkinson Great Britain  
(first) MI (last) (citizenship)  
Residence: (city) Epping (state/country) Australia  
Mailing Address: 19 Dent Street, Epping, New South Wales, Australia  
(Zip Code) 2121

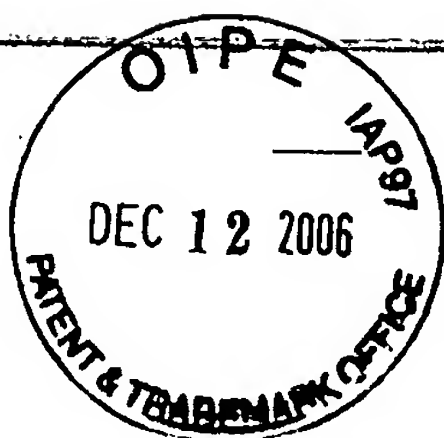
2. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: Nicholas Jerome Reed Australia  
(first) MI (last) (citizenship)  
Residence: (city) Mount Colah (state/country) Australia  
Mailing Address: 10 Vama Street, Mount Colah, New South Wales, Australia  
(Zip Code) 2079

**[X] See attached sheet(s) for additional inventor(s) information!!**

|    |                       |                                                            |                 |                 |                            |  |
|----|-----------------------|------------------------------------------------------------|-----------------|-----------------|----------------------------|--|
| 3. | Inventor's Signature: |                                                            |                 |                 | Date:                      |  |
|    | Inventor:             | Philip<br>(first)                                          | Andrew<br>MI    | Jones<br>(last) | Australia<br>(citizenship) |  |
|    | Residence: (city)     | Hornsby                                                    | (state/country) |                 | Australia                  |  |
|    | Mailing Address:      | 49 Nursery Street, Hornsby, New South Wales, Australia     |                 |                 |                            |  |
|    | (Zip Code)            | 2077                                                       |                 |                 |                            |  |
| 4. | Inventor's Signature: |                                                            |                 |                 | Date:                      |  |
|    | Inventor:             | Dan<br>(first)                                             | MI              | Kao<br>(last)   | Australia<br>(citizenship) |  |
|    | Residence: (city)     | Chatswood                                                  | (state/country) |                 | Australia                  |  |
|    | Mailing Address:      | 16/44 Archer Street, Chatswood, New South Wales, Australia |                 |                 |                            |  |
|    | (Zip Code)            | 2067                                                       |                 |                 |                            |  |
| 5. | Inventor's Signature: |                                                            |                 |                 | Date:                      |  |
|    | Inventor:             | (first)                                                    | MI              | (last)          | (citizenship)              |  |
|    | Residence: (city)     | (state/country)                                            |                 |                 |                            |  |
|    | Mailing Address:      |                                                            |                 |                 |                            |  |
|    | (Zip Code)            |                                                            |                 |                 |                            |  |
| 6. | Inventor's Signature: |                                                            |                 |                 | Date:                      |  |
|    | Inventor:             | (first)                                                    | MI              | (last)          | (citizenship)              |  |
|    | Residence: (city)     | (state/country)                                            |                 |                 |                            |  |
|    | Mailing Address:      |                                                            |                 |                 |                            |  |
|    | (Zip Code)            |                                                            |                 |                 |                            |  |

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.





P128051

4398-239

Nixon & Vanderhye P.C. (10/99)  
(Domestic Non-Assigned/Foreign) Page 1RULE 63 (37 C.F.R. 1.63)  
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METHOD AND APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES

the specification of which (check applicable box(es)):

☐ is attached hereto  
☒ was filed on June 24, 2003 as U.S. Application Serial No. 10/602,532 (Atty. Dkt. No. 4398-239)  
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Priority Foreign Application(s):

Application Number  
PS 3150Country  
AustraliaDay/Month/Year Filed  
25 June 2002

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below:

Prior U.S./PCT Application(s):

Application Serial No.

Day/Month/Year Filed

Status: patented  
pending, abandoned

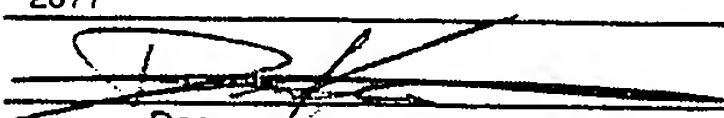
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4000 (to whom all communications are to be directed) and the attorneys of: **Customer Number 23117**, individually and collectively owner/s/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

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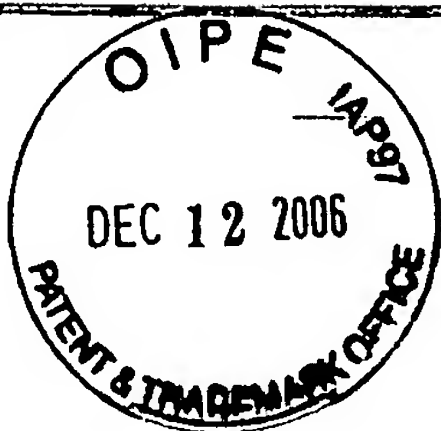
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Mailing Address: 49 Nursery Street, Hornsby, New South Wales, Australia  
(Zip Code) 2077
4. Inventor's Signature:  Date: 27 SEP 2004  
Inventor: Dan Kao Australia  
(first) MI (last) (citizenship)  
Residence: (city) Chatswood (state/country) Australia  
Mailing Address: 16/44 Archer Street, Chatswood, New South Wales, Australia  
(Zip Code) 2067
5. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
(first) MI (last) (citizenship)  
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Mailing Address: \_\_\_\_\_  
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6. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
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FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.





4398-239

Nixon & Vanderhye P.C. (10/99)  
(Domestic Non-Assigned/Foreign) Page 1

RULE 63 (37 C.F.R. 1.63)  
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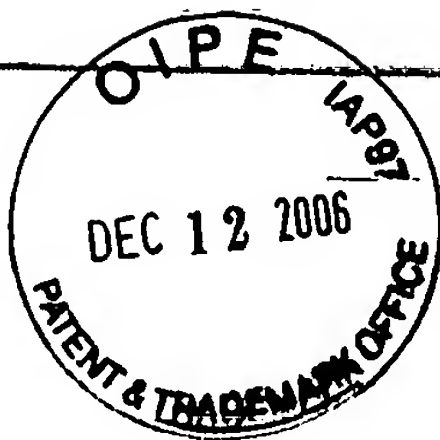
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(first) MI (last) (citizenship)  
Residence: (city) Epping (state/country) Australia  
Mailing Address: 19 Dent Street, Epping, New South Wales, Australia  
(Zip Code) 2121
- Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: Nicholas Jerome Reed Australia  
(first) MI (last) (citizenship)  
Residence: (city) Mount Colah (state/country) Australia  
Mailing Address: 10 Varna Street, Mount Colah, New South Wales, Australia  
(Zip Code) 2079

**[X] See attached sheet(s) for additional inventor(s) information!!**

3. Inventor's Signature:  Date: 28 October 2004  
Inventor: Philip Andrew Jones  
(first) MI (last)  
Residence: (city) Hornsby (state/country) Australia  
Mailing Address: 49 Nursery Street, Hornsby, New South Wales, Australia  
(Zip Code) 2077
4. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: Dan MI Kao  
(first) (last)  
Residence: (city) Chatswood (state/country) Australia  
Mailing Address: 16/44 Archer Street, Chatswood, New South Wales, Australia  
(Zip Code) 2067
5. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
(first) MI (last) (citizenship)  
Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_
6. Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Inventor: \_\_\_\_\_  
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Residence: (city) \_\_\_\_\_ (state/country) \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Zip Code) \_\_\_\_\_

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.



P-28.51

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In re Patent Application of

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For: METHOD AND APPARATUS FOR CONTROL OF APPLIANCE  
COUPLER RETENTION AND WITHDRAWAL FORCES

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

WRITTEN CONSENT OF ASSIGNEE

ResMed Limited, being the owner of all right, title and interest in the  
above-identified patent application, hereby acknowledges and agrees to the Petition to  
Correct Inventorship filed concurrently herewith for the above-identified application.

Certificate Under 37 C.F.R. §3.73(b)

ResMed Limited, a corporation having a place of business at 97 Waterloo Road,  
North Ryde, New South Wales, Australia 2113 states that it is the assignee of the entire  
right, title and interest in the patent application identified above by virtue of assignments  
from the inventors to the aforesaid assignee, a copy of the assignment being attached  
and/or recorded at the United States Patent Office on November 20, 2003 at reel 014717,  
frame 0257; at reel 014717, frame 0254; at reel 14717, frame 0249; at reel 14717, frame  
0260; at reel 014717, frame 0337; and at reel 014717, frame 0222. A copy of the

JENKINSON et al.  
Serial No. 10/602,532

assignment or assignment chain establishing ResMed Limited's ownership of Dan Kao's  
interest is attached.

The undersigned (whose title is typed below) is empowered to sign this statement  
on behalf of ResMed Limited.

ResMed Limited

September 2, 2004  
Date

By:

Name:

Mark A. Abourizk

Title:

VP, IP Legal Services Asia Pacific

## ASSIGNMENT

### Inventors to ResMed (R&D) Limited

WHEREAS, I, Dan KAO whose postal address is shown below, have made a certain new and useful Invention relating to METHOD & APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, for which application has been made for Letters Patent of the United States and which application may be identified in the United States Patent Office as Patent Application Serial No 10/602,532, filed on June 24, 2003, titled METHOD & APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, and

WHEREAS, I am the assignor of partial right, title and interest in and to that part of the Invention invented in the period up to and including June 30, 2002 which shall be referred to as the "Inventive Subject-matter" in this Assignment; and

WHEREAS, ResMed (R&D) Limited ABN 42 087 053 969 an Australian company (hereinafter ResMed R&D), whose postal address is 97 Waterloo Road, North Ryde, New South Wales 2113, AUSTRALIA, is desirous of acquiring the entire right, title and interest in and to said Inventive Subject-matter, said application, or any continuation, division, renewal, or substitute thereof, and the Letters Patent, or any reissue or re-examination thereof, to be obtained therefor:

NOW THEREFORE, for and in consideration of the sum of Ten Dollars Australian (A\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto the said ResMed R&D, and ResMed R&D's legal representatives, successors and assigns, the entire right, title and interest in and to said Inventive Subject-matter, said application or any continuation, division, renewal or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or re-examination thereof, and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned ResMed R&D, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, I hereby covenant and agree with ResMed R&D that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of ResMed R&D, execute such additional assignments and other writings and do such

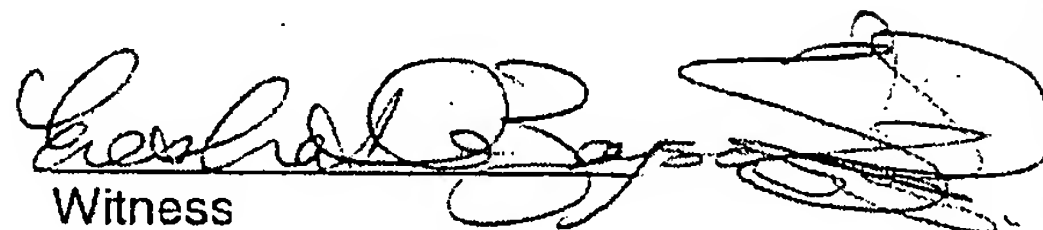
additional acts as ResMed R&D may deem necessary or desirable to perfect ResMed R&D's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued or extended Letters Patent of the United States, or of any and all foreign countries, on said Inventive Subject-matter, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving, testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties.

IN WITNESS WHEREOF, we have hereunto set our hands on the date indicated below.




Dan KAO  
Residence Address:  
16 / 44 Archer Street  
Chatswood  
New South Wales 2067  
Australia

7/7/04  
Date/Signed



Witness  
Name: ERESHA BIRLOARDENA

For and on behalf of  
**RESMED (R&D) LIMITED**

By: 

Title: Director

Date: 12 July 2004

**COPY**



## ASSIGNMENT

Inventors to ResMed Ltd (via R&D)

WHEREAS, I, Dan KAO whose postal addresses are shown below, have made a certain new and useful Invention relating to METHOD & APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, for which application has been made for Letters Patent of the United States and which application may be identified in the United States Patent Office as Patent Application Serial No 10/602,532, filed on June 24, 2003, titled METHOD & APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, and

WHEREAS, I am the assignor of partial right, title and interest in and to that part of the Invention invented in the period commencing July 1, 2002 which shall be referred to as the "Inventive Subject-matter" in this Assignment; and

WHEREAS, ResMed Limited, ABN 30 003 765 142 an Australian company (hereinafter ResMed), whose postal address is 97 Waterloo Road, North Ryde, New South Wales 2113, AUSTRALIA, is desirous of acquiring the entire right, title and interest in and to said Inventive Subject-matter, said application, or any continuation, division, renewal, or substitute thereof, and the Letters Patent, or any reissue or re-examination thereof, to be obtained therefor.

NOW THEREFORE, for and in consideration of the sum of Ten Dollars Australian (A\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign and set over unto the said ResMed, and ResMed's legal representatives, successors and assigns, the entire right, title and interest in and to said Inventive Subject-matter, said application or any continuation, division, renewal or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or re-examination thereof, and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned ResMed, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, I hereby covenant and agree with ResMed that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I will, at any time upon request, without further or additional consideration, but at the expense of ResMed, execute such additional assignments and other writings and do such additional acts as ResMed may deem necessary or desirable to perfect ResMed's enjoyment of this

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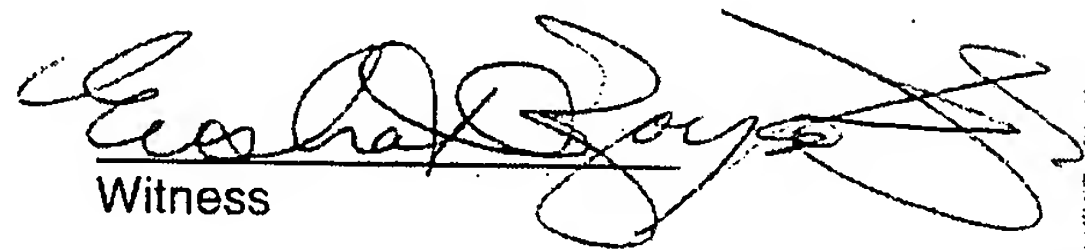
grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued or extended Letters Patent of the United States, or of any and all foreign countries, on said Inventive Subject-matter, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving, testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties.

IN WITNESS WHEREOF, we have hereunto set our hands on the date indicated below.



Dan KAO  
Residence Address:  
16/44 Archer Street  
Chatswood  
New South Wales 2067  
AUSTRALIA


7/7/04.  
Date Signed



Witness

Name ERESHA SRIWARDENA

For and on behalf of  
**RESMED LIMITED**

By: 

Title: Company Secretary

Date: 13/7/04

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## ASSIGNMENT

WHEREAS, ResMed (R&D) Limited ABN 42 087 053 969 an Australian company, (hereinafter ResMed R&D), whose postal address is 97 Waterloo Road, North Ryde, New South Wales 2113, AUSTRALIA, is assignee of the partial right, title and interest in and to the Invention relating to METHOD AND APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, for which application has been made for Letters Patent of the United States and which application may be identified in the United States Patent Office as Patent Application Serial No 10/602,532, filed on June 24 2003, titled METHOD AND APPARATUS FOR CONTROL OF APPLIANCE COUPLER RETENTION AND WITHDRAWAL FORCES, hereinafter referred to as the "Inventive Subject-matter";

WHEREAS, ResMed Limited, ABN 30 003 765 142, an Australian company (hereinafter ResMed) whose postal address is 97 Waterloo Road, North Ryde, New South Wales 2113 AUSTRALIA, is desirous of acquiring the entire right, title and interest in and to said "Inventive Subject-matter", said application, or any continuation, division, renewal, or substitute thereof, and the Letters Patent, or any reissue or re-examination thereof, to be obtained therefor;

NOW THEREFORE, for and in consideration of the sum of Ten Dollars Australian (A\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ResMed R&D has sold, assigned, and set over and by these presents does hereby sell, assign and set over unto the said ResMed, and ResMed's legal representatives, successors and assigns, the entire right, title and interest in and to said "Inventive Subject-matter", said application or any continuation, division, renewal or substitute thereof, international and foreign and regional applications corresponding thereto, and the Letters Patent, both foreign and domestic, that may or shall issue thereon, or any reissue or re-examination thereof, and ResMed R&D does hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned ResMed, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, ResMed R&D hereby covenants and agrees with ResMed that it will not execute any writing or do any act whatsoever conflicting with these presents, and that it will, at any time upon request, without further or additional

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consideration, but at the expense of ResMed, execute such additional assignments and other writings and do such additional acts as ResMed may deem necessary or desirable to perfect ResMed's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued or extended Letters Patent of the United States, or of any and all foreign countries, on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of both parties.

IN WITNESS WHEREOF, we have hereunto set our hands on the date indicated below.

For and on behalf of  
RESMED (R&D) LIMITED

By: Klaus Schindhelm  
Title: Director  
KLAUS SCHINDHELM

Date: 7 Nov 2003 KS  
22 July 2004

For and on behalf of  
RESMED LIMITED

Adrian Smith  
23/7/04

By: Adrian Smith  
Title: Company Secretary  
ADRIAN SMITH

Date: 12 NOVEMBER 2003

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